

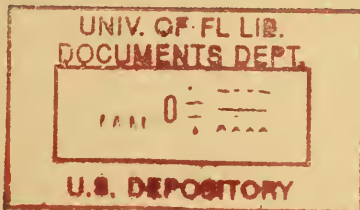
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

LUMBER AND TIMBER
PRODUCTS INDUSTRY

AS APPROVED ON JUNE 22, 1934



UNITED STATES
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Approved Code No. 9—Amendment No. 14

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

LUMBER AND TIMBER PRODUCTS INDUSTRY

As Approved on June 22, 1934

ORDER

APPROVING AMENDMENTS OF CODE OF FAIR COMPETITION FOR THE LUMBER AND TIMBER PRODUCTS INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of amendments to a Code of Fair Competition for the Lumber and Timber Products Industries, and hearings having been duly held thereon and the annexed report on said amendments, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said amendments and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said amendments be and they are hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

BARTON W. MURRAY,
Acting Division Administrator.

WASHINGTON, D.C.,
June 22, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: Under the Code of Fair Competition for the Lumber and Timber Products Industries as approved by you on August 19, 1933, the Lumber Code Authority has submitted the Amendments which are included and attached.

This is a report of the Hearing on the foregoing Amendments, conducted at the Mayflower Hotel in Washington, D. C., on November 23, 1933, in accordance with the provisions of the National Industrial Recovery Act.

These Amendments establish an Administrative Division for the manufacturers of wood crossarms, and were presented by the East Coast, Inland, and West Coast Crossarm Associations claiming to represent 66% of the production of the industry. The minimum wages are the same as those prescribed in the Code and a forty hour week is established. The proponents believe that these Amendments will stabilize the industry and eliminate unfair trade practices, which are now prevalent.

In 1929 there were approximately 500 employees in the industry; in 1932 the number was estimated at 150. The Amendments are expected to substantially increase this number.

The Deputy Administrator in his final report to me on said Amendments to said Code having found as herein set forth and on the basis of all the proceedings in this matter;

I find that:

(a) The Amendments to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restrictions of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid Amendments on behalf of the industry as a whole.

(d) The Amendments and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The Amendments and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendments.

For these reasons, therefore, I have approved these Amendments to the Code.

Respectfully,

HUGH S. JOHNSON,
Administrator.

JUNE 22, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE LUMBER AND TIMBER PRODUCTS INDUSTRY

Article VII (d) At the end of the Paragraph headed "Poles and Piling" insert the following new section:

CROSSARMS *

	<i>Cents per Hour</i>
Zone No. 1-----	24
Zone No. 2-----	32½
Zone No. 3-----	40

* Zone No. 1 includes the States of Florida, Georgia, South Carolina, North Carolina, Virginia, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, New Mexico, Arizona, and Texas (13 States).

Zone No. 2 includes the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, District of Columbia, Maryland, West Virginia, Pennsylvania, Ohio, Kentucky, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Oklahoma, Nebraska, South Dakota, and North Dakota (26 States and District of Columbia).

Zone No. 3 includes the States of Oregon, Washington, California, Nevada, Idaho, Utah, Colorado, Wyoming and Montana (9 States).

In Schedule A at the end of Section 39 add the following new section:

40. CROSSARM DIVISION

Division (Article II (c)): The Crossarm Division consists of all producers and manufacturers of wooden Crossarms, as hereinafter defined.

Products (Article II (a)): Wood Crossarms manufactured from sawn lumber whether or not bored for insulator pins, bolts and brackets, excluding, however, the installation of pins and brackets. The preservative treatment of these products is excepted.

Administrative Agency (Article III): (a) The Crossarm Division is divided for administrative purposes into the following Subdivisions:

1. East Coast Crossarm Subdivision
2. Inland Crossarm Subdivision
3. West Coast Crossarm Subdivision
4. Southern Pine Crossarm Subdivision

(b) Administrative Agencies shall be elected for each Subdivision in accordance with the provisions hereinafter set forth for the respective Subdivisions.

(c) 1. A Crossarm Coordinating Committee shall be elected by the respective Subdivision Agencies as follows: Two (2) members

of the Coordinating Committee shall be elected by the Administrative Agency of the West Coast Crossarm Subdivision; one member from each shall be elected by the Administrative Agencies of the East Coast Crossarm Subdivision, the Inland Crossarm Subdivision and the Southern Pine Crossarm Subdivision.

In addition, the non-association members of the respective subdivision agencies may, if they so desire, jointly elect one member of the Coordinating Committee to represent the non-members of the respective associations. Immediately after the election of the respective subdivision administrative agencies, the Authority shall circularize the non-association members of such administrative agencies to ascertain whether they desire to elect a representative to the Coordinating Committee; and shall render its assistance in conducting the election of such representative.

2. Subject to the approval of the Authority and to the limitations contained in Article III of the Code, the Coordinating Committee is authorized to make such rules and regulations as may be necessary to administer the Code in this Division and may designate such agents and delegate such authority to them as may be necessary for this purpose, but it shall reserve final responsibility for the administration of the provisions of the Code in this Division.

The Committee may delegate any of its authority to its representative, elected by its membership, on the membership of the Authority, and may empower him to act for the Division conclusively in respect to all matters coming before the Authority. All matters of interest to the Division or any Subdivision requiring action by the Authority shall first be presented to the Crossarm Coordinating Committee.

3. Under the limitations of Article III of the Code each Subdivision shall be independent and self-governing in respect to all conditions and problems relating to the said Subdivision exclusively. Proposals in respect of matters affecting more than one Subdivision may be initiated by any Subdivision and shall be submitted to the Crossarm Coordinating Committee.

4. Members of the Coordinating Committee and of the respective Subdivision Administrative Agencies shall be elected for a term of one year or until their successors are elected.

(d) In order to insure the proper administration of the Code in the respective Subdivisions of this Division until such time as any such Subdivision Administrative Agency established conclusively to the Lumber Code Authority that it is able to administer all provisions of the Code in its Subdivision, the Lumber Code Authority may designate existing Divisional Agencies in each region and/or locality to supervise the Administrative Agencies of the respective Subdivisions of this Division as to the administration of those provisions of the Code which relate to maximum hours of labor, minimum rates of pay, the payment of code fees, the submission of code reports, and any questions of correlation and adjustment with other industries included in such Division.

(e) Within thirty days after the effective date hereof the West Coast Crossarm Association, the Inland Crossarm Association, the

East Coast Crossarm Association and the Southern Pine Association shall conduct elections for the purpose of selecting the Administrative Agencies of their respective Subdivisions of the Crossarm Division.

Due notice of the time and place of such elections shall be sent to every known member of the Division in writing or by such other methods as are reasonably calculated to notify all interested parties of such election. Said election shall be conducted in a fair and equitable manner.

Each member of the respective Subdivisions shall be entitled to one vote in person, by letter or by proxy.

EAST COAST CROSSARM SUBDIVISION

Subdivision (Article II (c)): East Coast Crossarm Subdivision consists of all manufacturers and producers of wooden cross-arms, excepting manufacturers of Southern Pine Crossarms, located in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana and Texas.

Products (Article II (a)): Wood Crossarms, other than Southern Pine, manufactured from sawn lumber whether or not bored for insulator pins, bolts and brackets, excluding however, the installation of pins and brackets. The preservative treatment of these products is excepted.

Administrative Agency (Article III): The Administrative Agency of this Subdivision is designated as the agent of the Authority and of the Crossarm Coordinating Committee for the administration of the Code in this Subdivision. Said Administrative Agency shall consist of three members, one of whom shall not be a member of the East Coast Crossarm Association, if there be any such. Said Administrative Agency is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision and shall designate and authorize such additional agency as shall be required. The East Coast Crossarm Association is designated by the Authority to conduct the election of the Agency in this Subdivision.

INLAND CROSSARM SUBDIVISION

Subdivision (Article II (c)): Inland Crossarm Subdivision consists of all manufacturers and producers of wooden crossarms, excepting manufacturers of Southern Pine Crossarms, located in the States of Ohio, Indiana, Illinois, Kentucky, Tennessee, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, North Dakota, South Dakota, Nebraska, Kansas and Oklahoma.

Products (Article II (a)): Wood crossarms, other than Southern Pine, manufactured from sawn lumber whether or not bored for insulator pins, bolts and brackets, excluding, however, the installation of pins and brackets. The preservative treatment of these products is excepted.

Administrative Agency (Article III): The Administrative Agency of this Subdivision is designated as the agent of the Authority and of the Crossarm Coordinating Committee for the administration of the Code in this Subdivision. Said Administrative Agency shall consist of three members, one of whom shall not be a member of the Inland Crossarm Association, if there be any such. Said Administrative Agency is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision and shall designate and authorize such additional agency as shall be required. The Inland Crossarm Association is designated by the Authority to conduct the election of the Agency in this Subdivision.

WEST COAST CROSSARM SUBDIVISION

Subdivision (Article II (c)): West Coast Crossarm Subdivision consists of all manufacturers and producers of wooden crossarms, excepting manufacturers of Southern Pine Crossarms, located in the States of Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona and New Mexico.

Products (Article II (a)): Wood Crossarms, other than Southern Pine, manufactured from sawn lumber, whether or not bored for insulator pins, bolts and brackets, excluding, however, the installation of pins and brackets. The preservative treatment of these products is excepted.

Administrative Agency (Article III): The Administrative Agency of this Subdivision is designated as the agent of the Authority and of the Crossarm Coordinating Committee for the administration of the Code in this Subdivision. Said Administrative Agency shall consist of three members, one of whom shall not be a member of the West Coast Crossarm Association, if there be any such. Said Administrative Agency is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision and shall designate and authorize such additional agencies as shall be required. The West Coast Crossarm Association is designated by the Authority to conduct the election of the Agency in this Subdivision.

SOUTHERN PINE CROSSARM SUBDIVISION

Subdivision (Article II (c)): Southern Pine Crossarm Subdivision consists of all manufacturers or producers of Southern Pine Crossarms.

Products (Article II (a)): Southern Pine Crossarms, manufactured from sawn lumber, whether or not bored for insulator pins, bolts and brackets, excluding, however, the installation of pins and brackets. The preservative treatment of these products is excepted.

Administrative Agency (Article III): The Administrative Agency of this Subdivision is designated as the agent of the Authority and of the Crossarm Coordinating Committee for the administration of the Code in this Subdivision. Said Administrative

'Agency shall consist of three members, one of whom shall not be a member of the Southern Pine Association, if there be any such. Said Administrative Agency is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision and shall designate and authorize such additional agencies as shall be required. The Southern Pine Association is designated by the Authority to conduct the election of the Agency in this Subdivision.

Approved Code No. 9—Amendment No. 14.
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UNIVERSITY OF FLORIDA



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